



Office of the New York State
Attorney General

Letitia James
Attorney General

VIA ECF

Honorable Cathy Seibel
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Conference adjourned to 9/3/25
at 10:30 am. Plaintiff's response
letter due 8/27/25. The Clerk
shall terminate ECF No. 58.

July 14, 2025

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

7/14/25

Re: Germaine Montes v. Superintendent Mark Miller, et al., 24 Civ. 4141 (CS)

Dear Judge Seibel:

I am an Assistant Attorney General in the Office of Letitia James, Attorney General of the State of New York, and I have been assigned this case. Our office currently represents Superintendent Mark Miller (*see* ECF #11), RN Mary Ashong¹, Deputy Superintendent of Health Services Billie Tuohy². (*see* ECF #12), C.O. Pellot (*see* ECF #18), C.O. Fox (*see* ECF #19), C.O. Laino (*see* ECF #20), Jackson (*see* ECF #36), Cahon (*see* ECF #41), J. Noeth (*see* ECF #42), and Katelyn Richburg (*see* ECF #44).

Pursuant to Your Honor's Individual Rules of Practice 2(A) I submitted a letter motion for a conference seeking leave to file a motion to dismiss Plaintiff's amended complaint. (*see* ECF #56).

Your Honor granted the letter motion to the extent a conference was scheduled for August 27, 2025, at 9:45am.

I am writing this letter motion to request the Court change the conference date and time. I will be out of the office and country between August 25, 2025, through September 1, 2025, returning to the office on September 2, 2025. Additionally for scheduling purposes, I am also unavailable September 5, 2025, at 2:30pm due to a conference scheduled with Judge Briccetti, and I am away for an annual Office of the Attorney General Regional Office conference in Ithaca, New York, between September 16 through September 19, 2025.

I am respectfully submitting this request to the Court as early as possible to minimize the inconvenience to the Court's calendar.

Respectfully submitted,


Robert Feliu
Assistant Attorney General

¹ Please note her name was spelled incorrectly as "Ashonda" in the initial complaint.

² Defendants selected the "Deputy Superintendent of Health Services" when filing notice of appearance on behalf of Billie Tuohy.